

MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING AND ZONING
111 N.W. 1st STREET, SUITE 1110
MIAMI, FLORIDA 33128-1974

ZONING HEARING NOTICE

PRESORTED
FIRST CLASS



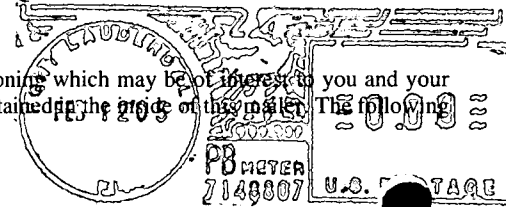
2815
Z2004000057 BCC
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING
ZONING HEARING SECTION
111 N.W. 1 STREET SUITE 1110
MIAMI, FLORIDA 33128-1974

FOR YOUR INFORMATION: NOTICE OF ZONING HEARING IN YOUR AREA.

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This notice is to advise you that a zoning hearing application has been filed with the Miami-Dade County Department of Planning and Zoning which may be of interest to you and your immediate neighborhood. The name of the applicant, what is being requested, and the location of the property that would be affected are contained in the body of this notice. The following information is provided to assist you in determining if you want to participate in the zoning hearing process.

PRESERVED
FIRST-CLASS



- o **YOU** are entitled to attend and to speak at the zoning hearing.
- o **YOU** may submit written letters or petitions in favor of, or opposing this hearing.
- o **YOUR** testimony along with county departmental recommendations and other evidence presented at the hearing will assist the zoning board in making its decision.
- o **YOU** are entitled to discuss the application with the professional county staff members that are reviewing the application prior to the hearing.
- o **YOU** cannot, however, in accordance with a court ruling, contact a County Commissioner, or Community Zoning Appeals Board member, individually, either orally or in writing, about the application outside of the public hearing.
- o **YOU** will know of the zoning board's decision at the hearing unless this case is deferred by the board to another hearing date.
- o **YOU** may appeal any zoning decision if your name appears in the official record of the case. However, citizens who wish to **APPEAL** a zoning decision should be aware of the following:

- o Decisions of all Community Zoning Appeals Boards will become final unless appealed by an aggrieved party.
- o Appeals from Community Zoning Appeals Boards are either to the Board of County Commissioners or to Circuit Court, depending on the type of application.

APPEALS FROM COMMUNITY ZONING APPEALS BOARD TO BOARD OF COUNTY COMMISSIONERS

- o For those types of Community Zoning Appeals Board appeals that may be considered by the Board of County Commissioners, the appeal period runs 14 days from the date the results of the Community Zoning Appeals Board are posted in the Department of Planning and Zoning.
- o Results are typically posted on the Monday following a hearing.
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APPEALS FROM BOARD OF COUNTY COMMISSIONERS AND COMMUNITY ZONING APPEALS BOARDS TO CIRCUIT COURT

- o Decisions of the Board of County Commissioners will become final unless appealed to the Circuit Court by an aggrieved party.
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- o Appeals of Commission and applicable Community Zoning Appeals Board decisions must be filed with the Circuit Court of the Eleventh Judicial Circuit.

PLEASE NOTE THAT THE APPLICATION MAY CHANGE DURING THE HEARING PROCESS.

FOR ANY FURTHER INFORMATION ON THE ZONING HEARING PROCEDURE, PLEASE CONTACT THE ZONING HEARING SECTION AT (305) 271-1242 AND DIRECT DIAL 1-4-1-6 PAUSING BETWEEN EACH NUMBER. EN ESPANOL (305) 271-1242 Y MARCAR DESPACIO 2-4-1-6.

MIAMI-DADE COUNTY NOTICE OF PUBLIC HEARING

HEARING NUMBER: 04-057
APPLICANT NAME: ROY R. LUSTIG, TRUSTEE

ART PAPASTAVROS IS APPEALING THE DECISION OF COMMUNITY ZONING APPEALS BOARD #2 ON ROY R. LUSTIG, TRUSTEE, WHICH APPROVED THE FOLLOWING:

THE APPLICANT IS REQUESTING A ZONE CHANGE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT TO SEMI-PROFESSIONAL OFFICE DISTRICT AND TO PERMIT AN OFFICE BUILDING TO SETBACK LESS THAN REQUIRED FROM PROPERTY LINES. ALSO REQUESTING TO PERMIT ACCOMPANYING REQUESTS, ON THIS SITE.

PLANS ARE ON FILE AND MAY BE EXAMINED IN THE ZONING DEPARTMENT. PLANS MAY BE MODIFIED AT PUBLIC HEARING.

LOCATION: THE SOUTHWEST CORNER OF NE 24 AVENUE & NE 186 STREET (MIAMI GARDENS DRIVE), MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 0.385 NET ACRE

YOU ARE NOT REQUIRED TO RESPOND TO THIS NOTICE: HOWEVER, OBJECTIONS OR WAIVERS OF OBJECTION MAY BE MADE IN PERSON AT HEARING OR FILED IN WRITING PRIOR TO HEARING DATE. IT IS RECOMMENDED THAT SAME BE MAILED AT LEAST FIVE DAYS (EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS) BEFORE HEARING DATE. REFER TO HEARING NUMBER ON CORRESPONDENCE AND MAIL SAME TO MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING AGENDA COORDINATOR, 111 NW 1 STREET, SUITE 1110, MIAMI FLORIDA 33128-1974. FOR FURTHER INFORMATION, PLEASE CALL (305) 271-1242 AND DIRECT DIAL: 1-4-1-6 OR FOR SPANISH: 2-4-1-6 PAUSING BETWEEN NUMBERS. IF YOUR ARE IN NEED OF A TRANSLATOR, FOR THIS MEETING, ONE CAN BE PROVIDED FOR YOU AT NO CHARGE. PLEASE CALL (305) 375-1244 AT LEAST TWO WEEKS IN ADVANCE OF THE MEETING DATE.

HEARING WILL BE HELD IN THE DADE
MIAMI-DADE COUNTY-STEPHEN P. CLARK CT.
BOARD OF COUNTY COMMISSIONERS
COUNTY COMMISSION CHAMBERS, 2ND FLOOR
111 NW 1ST. STREET
MIAMI-DADE COUNTY, FLORIDA

COUNTY COMMISSION
DATE 03/17/2005
THURSDAY
TIME 9:30 AM

Z2004000057 BCC 2815
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING
ZONING HEARING SECTION
111 N.W. 1 STREET SUITE 1110
MIAMI, FLORIDA 33128-1974

MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING AND ZONING
111 N.W. 1st STREET, SUITE 1110
MIAMI, FLORIDA 33128-1974

ZONING HEARING NOTICE

PRESORTED
FIRST CLASS



PB
METER
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30278

U.S. POSTAGE

7

Z2004000057 C02 2817
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING
ZONING HEARING SECTION
111 N.W. 1 STREET SUITE 1110
MIAMI, FLORIDA 33128-1974

FRUJSM5

33128

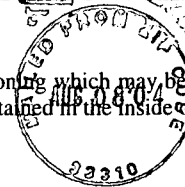


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RECEIVED
CLASS



PB METER
7142949

U.S. POSTAGE

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HEARING NUMBER: 04-057
APPLICANT NAME: RCY R. LUSTIG, TRUSTEE

THE APPLICANT IS REQUESTING A ZONE CHANGE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT TO SEMI-PROFESSIONAL OFFICE DISTRICT AND TO PERMIT AN OFFICE BUILDING TO SETBACK LESS THAN REQUIRED FROM PROPERTY LINES. ALSO REQUESTING TO PERMIT ACCOMPANYING REQUESTS, ON THIS SITE.

PLANS ARE ON FILE AND MAY BE EXAMINED IN THE ZONING DEPARTMENT. PLANS MAY BE MODIFIED AT PUBLIC HEARING.

LOCATION: THE SOUTHWEST CORNER OF N.E. 24 AVENUE & N.E. 186 STREET, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 0.385 NET ACRE

HEARING WILL BE HELD AT THE
HIGHLAND OAKS MIDDLE SCHOOL
2375 NE 203 STREET
NORTH MIAMI BEACH, FLORIDA 33180

COMMUNITY ZONING APPEALS BOARD
DATE 09/08/2004
WEDNESDAY
TIME 7:00 PM

22004000057 C02 2817
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING
ZONING HEARING SECTION
111 N.W. 1 STREET SUITE 1110
MIAMI, FLORIDA 33128-1974

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ZONING HEARING NOTICE

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FIRST CLASS



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Z2004000057 C02 2818
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING
ZONING HEARING SECTION
111 N.W. 1 STREET SUITE 1110
MIAMI, FLORIDA 33128-1974

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33128



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HEARING NUMBER: 04-057
APPLICANT NAME: ROY R. LUSTIG, TRUSTEE

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SPECIFIC INFORMATION
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Z2004000057 C02 2818
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING
ZONING HEARING SECTION
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APPLICANT: ROY R. LUSTIG, TRUSTEE

ART PAPASTAVROS is appealing the decision of Community Zoning Appeals Board #2 on ROY R. LUSTIG, TRUSTEE, which approved the following:

- (1) RU-1 to RU-5A
- (2) Applicant is requesting to permit an office building to setback 20' from the front (north) property line (25' required) and setback 20' from the rear (south) property line (25' required).
- (3) Applicant is requesting to waive the required trees and a 5' wide landscape strip between dissimilar land uses along the west and a portion of the south property lines.
- (4) Applicant is requesting to permit a dumpster enclosure to setback 66' (75' required) from the front (north) property line and to setback 0' (7½' required) from the interior side (west) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 & #4 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Zoning District) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and requests #2 through #4 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Professional Building," as prepared by Steven B. Schwartz, Page A-1 dated 4/14/04 and the remaining 4 pages dated 3/1/04. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 1 & 2, less the north 30.09', Block 3, RIVERDALE, Plat book 44, Page 71.

LOCATION: The Southwest corner of N.E. 24 Avenue & N.E. 196 Street (Miami Gardens Drive), Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.385 Net Acre

RU-1 (Single Family Residential)
RU-5A (Semi-professional Offices)

W

HEARING NO. 04-9-CZ2-1 (04-57)

4-52-42
Council Area 2
Comm. Dist. 4

APPLICANT: ROY R. LUSTIG, TRUSTEE

(1) RU-1 to RU-5A

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SIZE OF PROPERTY: 0.385 Net Acre

RU-1 (Single Family Residential)
RU-5A (Semi-professional Offices)

✓

PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



HEARING NUMBER: Z2004000057

BOARD: BCC

LOCATION OF SIGN: THE SOUTHWEST CORNER OF N.E. 24 AVENUE & N.E. 186 STREET(MIAMI GARDENS DRIVE), MIAMI-DADE COUNTY, FL

Miami Dade County, Florida

Date of Posting: 22-FEB-05

This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.

SIGNATURE:

Thomas R. Gomez

PRINT NAME:

THOMAS GOMEZ



**Miami-Dade County
Department of Planning and Zoning**



PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



HEARING NUMBER: Z2004000057

BOARD: C02

LOCATION OF SIGN: THE SOUTHWEST CORNER OF N.E. 24 AVENUE & N.E. 186 STREET(MIAMI GARDENS DRIVE), MIAMI-DADE COUNTY, FL

Miami Dade County, Florida

Date of Posting: 17-AUG-04

This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.

SIGNATURE:

PRINT NAME:

FELIX ACOSTA

BCC

AFFIDAVIT FOR MAILING OF FINAL NOTICES

RE: HEARING No:

04-057

HEARING DATE

3/17/05

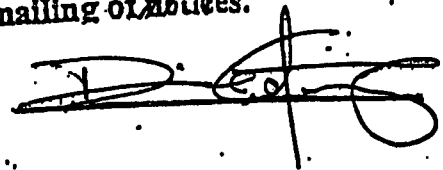
BCC

I, as the undersigned individual, do hereby affirm by my signature and date that all of the property owners of record, as reflected on the Miami-Dade County Property Appraiser's tax roll as updated within

- ☐ 500'
☒ 1/2 mile
☐ 1 mile

minimum radius of the property described in the above-referenced file have been input into the computer system prior to the deadline for the mailing of notices.

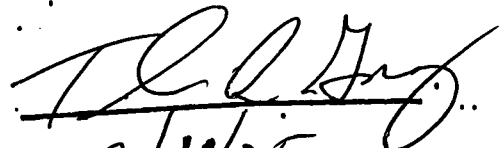
Signature:



Date:

I, as the undersigned individual, do hereby affirm that on the dated referenced below, the notices corresponding to the property owners as hereby referenced were delivered to the mail room for postmarking and mailing.

Signature:



Date:

2/11/05

I, as the undersigned individual, do hereby affirm that on the dated referenced below, the notices for the aforementioned file were received from the Zoning Agenda Coordinator's office and postmarked for delivery through the US Postal Service.

Signature:



Date:

2/11/05

AFFIDAVIT FOR MAILING OF FINAL NOTICES

RE: HEARING No. 04-057 HEARING DATE 9/08/04

I, as the undersigned individual, do hereby affirm by my signature and date that all of the property owners of record, as reflected on the Miami-Dade County Property Appraiser's tax roll as updated within

- ☐ 500'
☒ 1/2 mile
☐ 1 mile

minimum radius of the property described in the above-referenced file have been input into the computer system prior to the deadline for the mailing of notices.

Signature: [Signature]

Date: August 05/04

I, as the undersigned individual, do hereby affirm that on the dated referenced below, the notices corresponding to the property owners as hereby referenced were delivered to the mail room for postmarking and mailing.

Signature: [Signature]

Date: 8/5/04

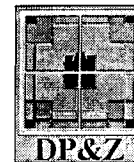
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Signature: [Signature]

Date: 8/5/04



Miami-Dade County
Department of Planning and Zoning



AFFIDAVIT FOR MAILING OR PRELIMINARY NOTICES

Re: HEARING No. Z2004000057

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✓ 1/2 mile

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Signature:

Nadine Blake

Date:

02/24/04

.....
I, as the undersigned individual, do hereby affirm that on the dated referenced below, the notices corresponding to the property owners as hereby referenced were delivered to the mail room for postmarking and mailing.

Signature:

ADRIANA GUERRA

Date:

03/25/04

.....
I, as the undersigned individual, do hereby affirm that on the dated referenced below, the notices for the aforementioned file were received from the Zoning Agenda Coordinator's office and postmarked for delivery through the US Postal Service.

Signature:

Date:

3-25-04

.....
To be retained in Hearing File

C.02



Miami-Dade County
Department of Planning and Zoning



AFFIDAVIT FOR MAILING OR PRELIMINARY NOTICES

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Nadine Blake

Date:

02/24/04

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ADRIANA GUERRA

Date:

03/25/04

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Signature:

Date:

3/25/04

.....
To be retained in Hearing File

ITS/WHAT YOU CAN DO

tion free of charge on a
ice given to nonprofit
ivities. Notices must be
the publication date or your
gs must contain a local or
lic to contact and any fees.
room, The Herald, 1 Herald
all to:
ame and date of event on
5-376-3355 from 10 a.m. to 6

wimmers ages 5 and older; 5-7:30
m. Tuesdays and Thursdays; 4:30-7
m. Wednesdays; 8-11 a.m. Satur-
days; Tamiami Park, 11201 SW 24th
St., West Miami-Dade; 305-582-4668
or prubio@al-law.net.

TENNIS

Junior USA Team Tennis: Ages 6-18.
Team tennis competition program
offered to boys and girls of all skill
levels. Sanctioned by the United
States Tennis Association; through
April 30; Tropical Park, 7900 SW
10th St., East Miami-Dade; \$75, \$60
USTA members. 305-460-8002.

**Michael-Ann Russell Jewish Commu-
nity Center:** Programs and classes for
all ages and levels; 18900 NE 25th
Ave., Sanford L. Ziff Campus, North
Miami Beach. 305-932-4200.

Jr. Extreme Academy: ages 8-10.
Skills and drills for A levels with some
match play; 3:50-4:40 p.m. Monday-
Thursday;

**Extreme Maccabi Tennis and Fit-
ness Academy:** ages 9-15. Combines
strength, flexibility along with intense
tennis training; 4:45-6:30 p.m. Mon-
day-Thursday;

Extreme tennis academy: ages
11-17. Improve all aspects of the game;
7:30 p.m. Monday-Thursday;

Future stars tennis academy: ages
8-10. Advanced drills; match play and
network drills. Etiquette and sports-
manship stressed; 3:50-5:30 p.m.
Monday-Thursday;

Ladies' clinic: all levels; 9-11 a.m.
Wednesdays;

Little Tennis Academy: ages 5-7.
Basic tennis skills. New Wilson rac-
quet given to early registers; 3:50-
4:40 p.m. Monday-Thursday;

High school tennis: ages 13-17.
Players work on match play, fitness
and footwork; 5:30-7 p.m. Monday-
Thursday;

Mighty Mites: ages 3-4. Coordina-
tion and tennis skills for the begin-
ners. New Wilson racquet given to
early registers; 3:50-4:40 p.m. Mon-
day-Thursday.

**Penny Sugarman Sans Souci Adult
Tennis:** Men's Tennis for Hard Hitters
earn top spin for power and control
while doing advanced drills for better
movement; 10:30 a.m.-noon Satur-
days; Penny Sugarman Sans Souci
Tennis Center, 1795 Sans Souci Blvd.,
North Miami; \$14, \$13 residents group
lesson; \$75, \$66 residents for six
group lessons. 305-893-7130.

• **Ladies B tennis drills:** For women's
B players. Emphasis on drilling, dou-
bles play and strategy; 9-10:30 a.m.
Tuesdays; \$10 per group lesson;
• **Tennis for Life.** Beginners and
intermediates invited to learn funda-
mentals of proper stroke technique
and game play; 7-8:30 p.m. Wednes-
days-Thursdays.

**Penny Sugarman Sans Souci Youth
Tennis:** Advanced junior drill lesson
for children ages 8-14 who want to
prepare for tournament competi-
tions; 5-6:30 p.m. Tuesdays and
Thursdays; Penny Sugarman Sans
Souci Tennis Center, 1795 Sans Souci
Blvd., North Miami; \$16, \$15 residents
per group lesson; \$78, \$72 residents
for series of lessons. 305-893-7130.

• **City Morning Junior Clinic:** for chil-
dren ages 7-14 who are at the begin-
ning, advanced beginning or interme-
diate level. Learn basics, fun drills and
match play; 11:30 a.m.-12:30 p.m. Sat-
urdays; \$13, \$12 residents per clinic;
\$75, \$60 residents, per series;

• **Tiny Tot:** for ages 4-6; 9:30-10:30
a.m. Saturdays; 3:30-4:30 p.m.
Wednesdays and Fridays; \$13, \$12
residents group lesson; \$75, \$60 resi-
dents for six group lessons;

• **After-school tennis** for ages 7-14.
Children learn basics, drilling and
match play, also good for those who
like to compete on high school and
college teams; 4:30-5:30 p.m. week-
days; \$13, \$12 residents per clinic or
\$75, \$60 residents for series of six
clinics.

Tennis After School Program:
Funded by a grant from The Chil-
dren's Trust, the program is for chil-
dren 7-17. It requires minimum atten-
dance of three days per week;
3:30-6:30 p.m. Monday-Fridays,
through June 3; Ashe-Buchholz Ten-
nis Center at Moore Park, 756 NW
36th St., Miami; free. 305-637-1061.

OTHER SPORTS

Double-Nine Dominoes

Championship: Proceeds to benefit
South Florida Sports League's Youth
Sports Program Fund Raiser; noon-8
p.m. Feb. 19; Macabi Cigar Bar, 5861
Sunset Dr., Miami; \$50 per team. Call
Willie Chacon at 786-210-7375 or
access www.sfsi.org.

eXtreme Miami Sports Club: Two-to-
five events per month; rock climbing,
scuba diving, snorkeling, kayaking,
caving; no fees or membership dues.
305-460-9013 or [www.eXtremeMia-
mi.com](http://www.eXtremeMia-
mi.com).

**Golf and Tennis Enthusiasts Needed
for Tournament:** Players of all skills
can participate in the Sun-
Trust/Douglas Gardens Classic bene-
fits the Miami Jewish Home and Hos-
pital for the Aged; 9:30 a.m. March 16;
Westview Country Club, 2601 NW
119th St., Gratiigny Parkway, North-
west Miami-Dade; \$180 for golf, \$125
for tennis, \$75 for cards & games. Call
Judy Fisher at 305-751-8626,
ext. 2178.

Do you suffer from BLEMISHED, RED or BLOTCHY Looking Skin due to Acne or Rosacea?

If so,

You are invited to participate in one
of two clinical trials conducted by a
Board Certified Dermatologist and
Global Health Associates of Miami
for new medications to treat these
skin conditions.

You will be asked to attend a total
of six doctor visits at 10800
Biscayne Blvd. over a 4 month
period and will be compensated for
your time.

For more information

call 305-899-2511

between 9am - 12n weekdays.

But hurry, enrollment starts soon.



Global
Health
Associates
of Miami



ZONING HEARING

BOARD OF COUNTY COMMISSIONERS
THURSDAY, MARCH 17, 2005 - 9:30 a.m.
COMMISSION CHAMBERS - 2nd Floor
STEPHEN P. CLARK CENTER
111 NW 1st STREET, MIAMI, FLORIDA

The list below contains zoning items which may be of interest to your immediate neighborhood.

1. ROY R. LUSTIG, TRUSTEE (04-57)

Location: The southwest corner of NE 24 Avenue & NE 188 Street (Miami Gardens Drive), Miami-Dade County, Florida (0.385 Net Acre)

Art Papastavros is appealing the decision of Community Zoning Appeals Board #2 on Roy R. Lustig, trustee, which approved the following:

The applicant is requesting a zone change from single-family residential district to semi-professional office district and to permit an office building to setback less than required from property lines. Also requesting to permit accompanying requests, on this site.

Multiple members of individual community councils may be present.

All persons are entitled to attend and to speak at zoning hearings. However, the courts have ruled that it is improper to contact a Board member individually, either orally or in writing, about zoning applications. Those items not heard prior to the ending time for this meeting, will be deferred to the next available zoning hearing meeting date for this Board.

Registration is available to any Homeowner's Association desiring that notice be provided to its president on zoning hearings involving its area of interest. For more information on this registration procedure, please call (305) 375-2565. If you are in need of a translator at the Hearing, one can be provided for you at no charge. To arrange for translating service, please call the Zoning Agenda Coordinator's Office at (305) 375-1244 at least two weeks in advance of the meeting date.

Maps and other data pertaining to these items are available for inspection at the MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING, 11th Floor, 111 NW First Street, Miami, Florida. If further information is desired, call (305) 375-2640, Hearing Section. Please refer to the hearing number when making an inquiry.

Miami-Dade County provides equal access an equal opportunity in employment and does not discriminate on the basis of disability in its programs or services. For material in alternate format, a sign language interpreter or other accommodations, please call (305) 375-1244 at least five days in advance.

* A person who decides to appeal any decision made by any board, agency or commission with respect to any matter considered at this meeting or hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based five days in advance.

payday.

Advertise in Business Monday. Clock in with
Michelle Ionescu at 305-376-2694 in Miami-
Dade or 954-764-7026, ext 2694 in Broward.

The Miami Herald The Herald el Nuevo Herald
SMART SOLUTIONS

IGHBORS CALENDAR

tion free of charge on a
ice given to nonprofit
ivities. Notices must be
the publication date or your
gs must contain a local or
lic to contact and any fees.
'sroom, The Herald, 1 Herald
ail to:
ame and date of event on
5-376-3355 from 10 a.m. to 6

lay defining the power of love and
orgiveness; when an affluent young
ady falls in love with a troubled thug;
p.m., Feb. 17-18; 3 p.m. and 8 p.m.
Feb. 19; 3 p.m. and 7:30 p.m. Feb. 20;
usman Center, 174 E. Flagler St.,
Miami; \$29.50-\$42.50.
05-374-2444.
ady Day At Emerson's Bar & Grill:
launting and humorous musical
rama tells the captivating tale of jazz
legend Billie Holiday; 8 p.m., Thurs-
day-Saturdays, 3 p.m. Sundays;
through Feb. 27; M Ensemble's
ctors Studio, 12320 W. Dixie Hwy.,
North Miami, 305-895-8955 or
www.themensemble.com; \$20-\$25,
15 seniors/students.

fariso: Apocalyptic urban fantasy
irging society to find a way to
ecover the long-lost and much-
eeded compassion in our lives; 8
p.m., Thursday-Saturday; 2 p.m. Sun-
days; Feb. 17-27; Wertheim Perform-
g Arts Center, 10910 SW 17th St.,
FIU South Campus; Miami;
05-348-3789 or fiu.edu/Athedan
theatre; \$10, \$8 FIU students.
The Retreat From Moscow: William
Nicholson's powerful story of a hus-
and who decides to be truthful in his
marriage, changing the lives of his
wife and son; 8 p.m., Thursday-Satur-
day, 2 and 7 p.m. Sundays; through
Feb. 27; GableStage, (next to Bilt-
more Hotel), 1200 Anastasia Ave.,
Coral Gables, 305-445-1119 or
www.gablestage.org; \$35.
**Identified Human Remains And
The True Nature of Love:** Comedic
rama about youth, love and serial
killing, by Canadian playwright Brad
Fraser; through March 13; Art Temple,
141 Indian Creek Dr., Miami Beach;
\$20, \$15 seniors/students.
05-531-6083.

Vest Side Story: Miami Childrens
heater presents the timeless musical
hat takes Romeo and Juliet to the
streets of New York, in a life and
death fight for love; 7 p.m., Feb. 17; 8
p.m. Feb. 19; 2 p.m. Feb. 20; Alper
Jewish Community Center, 1155 SW
12th Ave., Miami, 305-271-9000,
ext. 268 or www.alperjcc.org; \$12 in
advance, \$15 at the door.

BLACK HISTORY MONTH

American Portraits - Harlem Heroes:
Portraits of Langston Hughes, Zora
Neale Hurston and many major fig-
ures of the Harlem Renaissance by
Carl Van Vechten; through March 31;
West Dade Regional Library, 9445
Coral Way, West Miami-Dade;
05-553-1135.

**Black History Month at Miami Dade
College:**
Black Leaders Symposium: Keynote
speaker Perry Anderson, regional
director of South Florida's Depart-
ment of Juvenile Justice, discusses
his year's theme: Youth in the 21st
Century: Keeping Hope Alive; 7 p.m.,
Feb. 17; North Dade Regional Library,

2455 NW 183rd St., Northwest Miami-
Dade; free. 305-625-6424.
Juba This, Juba That: Children's
librarians tell stories, folktales and
sing songs celebrating the Jamaican
culture; 10:30 a.m., Feb. 17; Palm
Springs North Branch Library, 17601
NW 78th Ave., Miami; free.

CLASSES

Carl's Bootscooters Line Dancing:
Beginners 7:30-8:30 p.m., intermedi-
ate 8:30-9:30 p.m., Thursdays; Miami
Springs Recreation Center, 1401
Westward Dr., Miami Springs.
305-494-8771.
Fairchild Classes: Art classes includes
acrylic painting, watercolor, land-
scape, foliage from photographs,
botanical illustration, oils, paper col-
lages and more; ongoing sessions
year-round; Fairchild Tropical
Botanic Garden, 10901 Old Cutler Rd.,
Coral Gables, 305-667-1651 or
www.fairchildgarden.org; \$80-\$295.

FILM

Project Screenplay: Los
Angeles-based production company
Beverly Boy Productions announces
competition for aspiring screenwrit-
ers; winning screenplay will be pro-
duced this year for national distribu-
tion; mail script to Beverly Boy
Productions, Attn: Project Screen-
play, 14879 NE 20th Ave., North
Miami, FL 33181; through March 1.
305-944-0653.

FOR KIDS/FAMILIES

**Miami Childrens Museum Film
Festival Competition:** For youth ages
18 or younger; they may enlist adults
to advise and guide them through the
movie-making process, they may not
receive hands-on help from them;
films must be VHS or DVD format and
be less than 15 minutes; Deadline for
entries is March 15. Call Cecilia Dubon
at 305-373-5437, ext. 104 or send
e-mail to cecilia@miamichildremsmu
museum.org; and www.miamichildrems
museum.org.

GETTING INFORMED

A Conversation About Art: Lecture
presented by Emily Rauh Pulitzer,
founder and chairwoman of the Pulit-
zer Foundation for the Arts; 7 p.m.,
Feb. 17; Margulies Collection at the
Warehouse, 591 NW 27th St., Miami;
free. 305-576-1051.
**How to Repair the World-A Lurianic
Perspective:** Kabbalistic program
with Abraham Gittelson, Jewish edu-
cator and lecturer; 8 p.m., Feb. 17;
Michael-Ann Russell Jewish Commu-
nity Center, 18900 NE 25th Ave., San-
ford L. Ziff Campus, North Miami
Beach; free. 305-932-4200, ext. 127.
**Inter-American Chapter of Hadas-
sah:** Alexander Burcat, a professor of
combustion and propulsion at The
Technion-Israel Institute of Technol-
ogy, presents a discussion on energy
as a possible cause of world terrorism
and Islamic terrorism; 7:30 p.m., Feb.
17; Temple Menorah, 620 75th St.,
Miami Beach. 305-866-0221.

HEALTH/FITNESS

Gluten-Free Store Tour: Shopping
tour to highlight gluten-free prod-
ucts; 7 p.m., Feb. 17; Whole Foods
Market, 21105 Biscayne Blvd., Aven-
tura; free. 305-933-1543.

ZONING HEARING



BOARD OF COUNTY COMMISSIONERS
THURSDAY, MARCH 17, 2005 - 9:30 a.m.
COMMISSION CHAMBERS, 2nd Floor
STEPHEN P. CLARK CENTER
111 NW 1 STREET, MIAMI, FLORIDA

The list below contains zoning items which may be of interest to
your immediate neighborhood.

1. ROY R. LUSTIG, TRUSTEE (04-57)

Location: The southwest corner of NE 24 Avenue & NE 186
Street (Miami Gardens Drive), Miami-Dade County,
Florida (0.385 Net Acre)

Art Papastavros is appealing the decision of Community Zoning
Appeals Board #2 on Roy R. Lustig, trustee, which approved the
following:

The applicant is requesting a zone change from single-family resi-
dential district to semi-professional office district and to permit an
office building to setback less than required from property lines.
Also requesting to permit accompanying requests, on this site.

2. ANTONIO SANCHEZ (04-113)

Location: Lying on the east side of NW 27 Avenue and south
of NW 66 Street, Miami-Dade County, Florida (0.77
Acre)

The applicant is appealing the decision of the Community Zoning
Appeals Board #8 which denied the following:

The applicant is requesting a zone change from special business
district to liberal business district, to permit an used auto/truck
sales on a lot with less area and less landscape greenbelt than
required, an ancillary used auto/truck repairs to occupy a larger
area than permitted and to be spaced less than required from a
residential district. Also requesting to permit accompanying re-
quests, on this site.

Multiple members of individual community councils may be pre-
sent.

All persons are entitled to attend and to speak at zoning hearings.
However, the courts have ruled that it is improper to contact a
Board member individually, either orally or in writing, about zoning
applications.

Those items not heard prior to the ending time for this meeting,
will be deferred to the next available zoning hearing meeting date
for this Board.

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ing its area of interest. For more information on this registration
procedure, please call (305) 375-2565.

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vided for you at no charge. To arrange for translating service,
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1244 at least two weeks in advance of the meeting date.

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inspection at the **MIAMI-DADE COUNTY DEPARTMENT OF
PLANNING AND ZONING**, 11th Floor, 111 NW First Street, Mi-
ami, Florida. If further information is desired, call (305) 375-2640,
Hearing Section. Please refer to the hearing number when mak-
ing an inquiry.

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employment and does not discriminate on the basis of disability in
its programs or services. For material in alternate format, a sign
language interpreter or other accommodations, please call (305)
375-1244 at least five days in advance.

* A person who decides to appeal any decision made by any
board, agency or commission with respect to any matter consid-
ered at this meeting or hearing, will need a record of the proceed-
ings. Such person may need to ensure that a verbatim record of
the proceedings is made, including the testimony and evidence
upon which the appeal is to be based five days in advance.

Public Notices & Hearings

MIAMI-DADE COUNTY, FLORIDA

LEGAL NOTICE

THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS will hold a Public Hearing on the following items on Thursday, the 17th day of March, 2005 at 9:30 a.m. in the County Commission Chambers, 2nd Floor, Stephen P. Clark Center, 111 NW 1st Street, Miami, Florida. Said hearing is being held to consider the application hereinafter listed for Development of Regional Impact in the Unincorporated area of Miami-Dade County, Florida. The Board of County Commissioners RESERVES THE RIGHT to modify the applications, to impose desirable, reasonable conditions, and to change the minimum cubic content requirements, all for the best interest of the overall comprehensive zoning plan and regulations.

Multiple members of individual community councils may be present.

All persons are entitled to attend and to speak at zoning hearings. However, the courts have ruled that it is improper to contact a Board member individually, either orally or in writing, about zoning applications.

Those items not heard prior to the ending time for this meeting, will be deferred to the next available zoning hearing meeting date for this Board.

If you are in need of a translator at the Hearing, one can be provided for you at no charge. To arrange for translating service, please call the Zoning Agenda Coordinator's Office at (305) 375-1244 at least two weeks in advance of the meeting date.

Maps and other data are available for inspection at the MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING, 11th Floor, 111 NW First Street, Miami, Florida. Protest & Waivers of Protest should be filed IN WRITING at least three days prior to the hearing date, giving the number of the hearing. If further information is desired, call (305) 375-2640, Hearing Section. Please refer to the hearing number when making an inquiry.

Miami-Dade County provides equal access and equal opportunity in employment and does not discriminate on the basis of disability in its programs or services. For material in alternate format, a sign language interpreter or other accommodations, please call (305) 375-1244 at least five days in advance.

HEARING NO. 04-9-CZ2-1 (04-57)

APPLICANT: ROY R. LUSTIG, TRUSTEE

ART PAPASTAVROS is appealing the decision of Community Zoning Appeals Board #2 on ROY R. LUSTIG, TRUSTEE, which approved the following:

- (1) RU-1 to RU-5A
- (2) Applicant is requesting to permit an office building to setback 20' from the front (north) property line (25' required) and setback 20' from the rear (south) property line (25' required).
- (3) Applicant is requesting to waive the required trees and a 5' wide landscape strip between dissimilar land uses along the west and a portion of the south property lines.
- (4) Applicant is requesting to permit a dumpster enclosure to setback 66' (75' required) from the front (north) property line and to setback 0' (7½' required) from the interior side (west) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 & #4 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Zoning District) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and requests #2 through #4 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Professional Building," as prepared by Steven B. Schwartz, Page A-1 dated 4/14/04 and the remaining 4 pages dated 3/1/04. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 1 & 2, less the north 30.09', Block 3, RIVERDALE, Plat book 44, Page 71.
LOCATION: The Southwest corner of N.E. 24 Avenue & N.E. 196 Street (Miami Gardens Drive), Miami-Dade County, Florida.

HEARING NO. 04-11-CZ8-1 (04-113)

APPLICANT: ANTONIO SANCHEZ

The applicant is appealing the decision of Community Zoning Appeals Board #8 on ANTONIO SANCHEZ which denied the following:

- (1) BU-2 to BU-3
- (2) Applicant is requesting to permit used auto/truck sales with a lot area of 0.77 acre (1 acre required).
- (3) Applicant is requesting to permit ancillary auto/truck repairs to occupy 60% of the gross building area (15% permitted).
- (4) Applicant is requesting to permit a landscape greenbelt varying from 5' to 75" (15' required).
- (5) Applicant is requesting to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east.
- (6) Applicant is requesting to permit 0 shrubs along the right-of-way (169 perimeter shrubs required).
- (7) Applicant is requesting to permit a landscape open space of 18% (20% required).
- (8) Applicant is requesting to permit an auto repair facility spaced 29' from a residential district (500' required).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Truck Sales of Miami," as prepared by Offerle-Lerner, Architects, dated 3/24/04 and consisting of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 4 - 9, ELIZABETH PARK AMENDED, Plat book 4, Page 195.
LOCATION: Lying on the east side of N.W. 27 Avenue & south of N.W. 66' Street, Miami-Dade County, Florida.

HEARING NO. 05-1-CZ5-2 (03-384)

APPLICANT: FLAGLER DEVELOPMENT CO.

- 1) TO MAKE A SUBSTANTIAL DEVIATION DETERMINATION TO A DRI pursuant to §380.06(19) of the Florida Statutes with respect to the following amendments and requests.
- 2) MODIFICATION OF Condition #21 of Resolution Z-114-83, and last modified by Resolution Z-10-99, both passed and adopted by Board of County Commissioners, and reading as follows:

FROM: "21. This Development Order shall be null and void, if any of the following requirements has (sic) not been met within four (4) years from the date of issuance of the Development Order:

- start of construction of N.W. 106 Street, between N.W. 107 Avenue and N.W. 112 Avenue.
- completion of the financial feasibility analysis and specific financial arrangements with sources and timing of funds, identified, for the interchange of HEFT at N.W. 106 Street; and
- approval of the HEFT interchange construction by FDOT or the Miami-

ZONING HEARING

Dade County MPO, as evidenced by its incorporation, as a programmed improvement with funding sources identified, in the State 5-year Plan or the Miami-Dade County Transportation Improvement Program (TIP).

If approval of the HEFT interchange cannot be obtained, as specified above, the Development Order will become null and void, unless the Applicant submits, the Council reviews, and the County approves, prior to expiration of the 4 year period, an Amended DRI Application for Development Approval focusing on transportation and including such other information as is necessary to ensure a new roadway network to support the project. December 15, 2006 is hereby established as the build-out day for this project.

TO: "21.

This Development Order shall be null and void, if any of the following requirements have not been met within four (4) years from the date of issuance of the Development Order:

- start of construction of N.W. 106 Street, between N.W. 107 Avenue and N.W. 112 Avenue.
- completion of the financial feasibility analysis and specific financial arrangements with sources and timing of funds, identified, for the interchange of HEFT at N.W. 106 Street; and
- approval of the HEFT interchange construction by FDOT or the Miami-Dade County MPO, as evidenced by its incorporation, as a programmed improvement with funding sources identified, in the State 5-year Plan or the Miami-Dade County Transportation Improvement Program (TIP).

If approval of the HEFT interchange cannot be obtained, as specified above, the Development Order will become null and void, unless the Applicant submits, the Council reviews and the County approves, prior to expiration of the 4 year period, an Amended DRI Application for Development Approval focusing on transportation and including such other information as is necessary to ensure a new roadway network to support the project. December 14, 2011 is hereby established as the build-out day for this project."

- (3) MODIFICATION OF Condition #19 of Resolution Z-114-83, passed and adopted by the Board of County Commissioners and reading as follows:

FROM: "19. The Application for Development Approval is incorporated herein by reference and relied upon by the parties in discharging their statutory duties under Chapter 380, Florida Statutes. Substantial Compliance with the representations contained in the Application for Development Approval is a condition for approval unless waived or modified by agreement among the parties."

TO: "19. The Master Development Plan attached as Exhibit "1" reflects the current conceptual land use plan and development program for the property, which along with the Application for Development Approval are incorporated herein by reference and relied upon by the parties in discharging their statutory duties under Chapter 380, Florida Statutes. Substantial Compliance with the representations contained in the Master Development Plan and the Application for Development Approval are conditions for approval unless waived or modified by agreement among the parties."

The purpose of this requests is to allow the applicant to submit a revised master development plan showing a revision to the office/warehouse development, to decrease the warehouse area, to add hotel and business uses and to permit the applicant to extend a build-out date for this previously approved project.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 & #3 may be considered under §33-311(A)(7) or §33-311(A)(17) (Modification or Elimination of Conditions or covenants After Public Hearing).

SUBJECT PROPERTY: All of Section 6, Township 53 South, Range 40 East.
LOCATION: Between N.W. 90 Street & N.W. 106 Street & N.W. 107 Avenue & N.W. 117 Avenue, Miami-Dade County, Florida.

In accordance with Sections 33-313, 314, and 315 of the Code of Miami-Dade County, all Board of County Commissioners' decisions are subject to review by the Circuit Court of Appeals upon appeal when filed with the Clerk of the Court at Miami-Dade County Court House, Appellate Division, 73 West Flagler, Room 135 - Balcony, Miami, FL 33130, within 30 days from the date of transmittal of the resolution to the Clerk of the Board.

A person who decides to appeal any decision made by the Community Zoning Appeals Board with respect to any matter considered at its hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

Publication of this Notice on the 22 day of February 2005.

2/22

05-3-04/523383M

MIAMI-DADE COUNTY, FLORIDA

LEGAL NOTICE

ZONING HEARING

THE MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD FOR AREA 15 will hold a Public Hearing on the following items on Tuesday, the 15th day of March, 2005 at 7:00 p.m. in the SOUTH DADE GOVERNMENT CENTER - ROOM 203 (Old Building), 10710 SW 211 Street, Miami, Florida. Said hearing is being held to consider the applications hereinafter listed for District Boundary Changes, Non-Use Variances, Special Exceptions, Unusual Uses, Modifications of previous resolutions, Use Variances, Appeals of Administrative Decisions and Reformation of Resolutions for this area within Unincorporated Miami-Dade County, Florida. The Community Zoning Appeals Board RESERVES THE RIGHT to modify the applications, to impose desirable, reasonable conditions, and to change the minimum cubic content requirements, all for the best interest of the overall comprehensive zoning plan and regulations.

Multiple members of individual community councils may be present.

All persons are entitled to attend and to speak at zoning hearings. However, the courts have ruled that it is improper to contact a Board member individually, either orally or in writing, about zoning applications.

Those items not heard prior to the ending time for this meeting, will be deferred to the next available zoning hearing meeting date for this Board.

If you are in need of a translator at the Hearing, one can be provided for you at no charge. To arrange for translating service, please call the Zoning Agenda Coordinator's Office at (305) 375-1244 at least two weeks in advance of the meeting date.

Maps and other data are available for inspection at the MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING, 11th Floor, 111 NW First Street, Miami, Florida. Protest & Waivers of Protest should be filed IN WRITING at least three days prior to the hearing date, giving the number of the hearing. If further information is desired, call (305) 375-2640, Hearing Section. Please refer to the hearing number when making an inquiry.

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ZONING HEARING

COMMUNITY ZONING APPEALS BOARD - 2

WEDNESDAY, SEPTEMBER 8, 2004 - 7:00 p.m.

HIGHLAND OAKS MIDDLE SCHOOL - Auditorium
2375 NE 203 STREET, NORTH MIAMI BCH., FLORIDA

The list below contains zoning items which may be of interest to your immediate neighborhood:

1- ROY R. LUSTIG, TRUSTEE - (04-57)

Location: The southwest corner of NE 24 Avenue & NE 186 Street, Miami-Dade County, Florida (0.385 Net Acre)

The applicant is requesting a zone change from single-family residential district to semi-professional office district and to permit an office building to setback less than required from property lines. Also requesting to permit accompanying requests on this site.

2- ERT 163 STREET MALL L.L.C. (04-123)

Location: 1421 NE 163 Street, Miami-Dade County, Florida (24.15 Acres)

The applicant is requesting a modification of a previously approved resolution to allow the applicant to modify the site plan for expansion of commercial uses at the 163rd Street Mall.

Multiple members of individual community councils may be present.

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Registration is available to any Homeowner's Association desiring that notice be provided to its president on zoning hearings involving its area of interest. For more information on this registration procedure, please call (305) 375-2565. If you are in need of a translator at the Hearing, one can be provided for you at no charge. To arrange for translating service, please call the Zoning Agenda Coordinator's Office at (305) 375-1244 at least two weeks in advance of the meeting date.

Maps and other data pertaining to these items are available for inspection at the MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING, 11th Floor, 111 NW First Street, Miami, Florida. If further information is desired, call (305) 375-2640, Hearing Section. Please refer to the hearing number when making an inquiry.

Miami-Dade County provides equal access an equal opportunity in employment and does not discriminate on the basis of disability in its programs or services. For material in alternate format, a sign language interpreter or other accommodations, please call (305) 375-1244 at least five days in advance.

* A person who decides to appeal any decision made by any board, agency or commission with respect to any matter considered at this meeting or hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based five days in advance.

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person who decides to appeal any decision made by the Community Zoning Appeals Board with respect to any matter considered at its hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

04-3-19/480272M

MIAMI-DADE COUNTY, FLORIDA

LEGAL NOTICE

ZONING HEARING

THE MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD FOR AREA 2 will hold a Public Hearing on the following items on Wednesday, the 8th day of September, 2004 at 7:00 p.m. in the HIGHLAND OAKS MIDDLE SCHOOL, 2375 NE 203 Street, North Miami Beach, Florida. Said hearing is being held to consider the applications hereinafter listed for District Boundary Changes, Non-Use Variances, Special Exceptions, Unusual Uses, Modifications of previous resolutions, and Variances, Appeals of Administrative Decisions and Reformations of Resolutions for this area within Unincorporated Miami-Dade County, Florida. The Community Zoning Appeals Board RESERVES THE RIGHT to modify the applications, to impose desirable, reasonable conditions, and to change the minimum cubic content requirements, all for the best interest of the overall comprehensive zoning plan and regulations.

Multiple members of individual community councils may be present.

All persons are entitled to attend and to speak at zoning hearings. However, the courts have ruled that it is improper to contact a Board member individually, either orally or in writing, about zoning applications.

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Maps and other data are available for inspection at the MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING, 11th Floor, 111 NW First Street, Miami, Florida. Protest & Waivers of Protest should be filed IN WRITING at least three days prior to the hearing date; giving the number of the hearing. If further information is desired, call (305) 375-2640, Hearing Section. Please refer to hearing number when making an inquiry.

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Meeting NO. 04-9-CZ2-1 (04-57)

Applicant: ROY R. LUSTIG; TRUSTEE

RU-1 to RU-SA

Applicant is requesting to permit an office building to setback 20' from the front (north) property line (25' required) and setback 20' from the rear (south) property line (25' required). Applicant is requesting to waive the required trees and a 5' wide landscape strip between dissimilar land uses along the west and a portion of the south property lines. Applicant is requesting to permit a dumpster enclosure to setback 66' (75' required) from the front (north) property line and to setback 0' (7 1/2' required) from the interior side (west) property line. As a demonstration that the applicable standards have been satisfied, approval of requests #2 & #4 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional use Zoning District) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and requests #2 through #4 may be considered under §33-311(A)(4)(b) (Non-Use Variance). Plans are on file and may be examined in the Zoning Department entitled "Professional Building," as prepared by Steven B. Schwartz, Page A-1 dated 4/14/04 and the remaining 4 pages dated 3/1/04. Plans may be modified at public hearing.

PROJECT PROPERTY: Lots 1 & 2, less the north 30.09', Block 3, RIVERDALE, Plat book 44, Page 71.

LOCATION: The Southwest corner of N.E. 24 Avenue & N.E. 196 Street (Miami Gardens Drive), Miami-Dade County, Florida.

Meeting NO. 04-9-CZ2-2 (04-123)

Applicant: ERT 163rd STREET MALL L. L. C.

MODIFICATION of plans approved pursuant to Resolution 4-ZAB-381-85, passed and adopted by the Zoning Appeals Board as last modified by Resolution CZAB2-4-03, passed and adopted by the Community Zoning Appeals Board, reading as follows:

FROM: That in the approval of the plans, the same be substantially in accordance with those submitted for the hearing entitled "Wal-Mart and 163rd Street Mall," as prepared by Kimley-Horn and Associates, Inc., dated 6/5/03 and consisting of 7 pages and elevation sketches entitled "Wal-Mart Super Center," as prepared by Boice, Raidl and Rhea, revised as of June 5, 2003 and consisting of 2 pages, and a fixture plan entitled "Wal-Mart Supercenter," as prepared by Boice, Raidl & Rhea; revised as of June 5, 2003 and consisting of 1 page.

TO: That in the approval of the plans, the same be substantially in accordance with those submitted for the hearing entitled "Mall at 163rd Street," as prepared by Design Tech International, Inc., consisting of 17 sheets dated 4/2/04 and 5 sheets dated 5/27/04 for a total of 22 sheets.

Purpose of the request is to allow the applicant to modify the site plan for expansion of retail uses at the 163rd Street Mall.

As a demonstration that the applicable standards have been satisfied, approval of this request may be considered under §33-311(A)(7) or §33-311(A)(17) (Modification or Elimination of Conditions or Standards After Public Hearing).

line of N.E. 167th Street; thence, bearing S86°57'21"W, along the north line of Tract "A" and the right-of-way line of N.E. 167th Street, a distance of 380.91' to the point and place of beginning herein described parcel; thence, bearing S2°42'33"E, a distance of 667.85' to a point; thence, bearing N86°51'3"E, a distance of 22' to a point; thence bearing N74°51'3"E, a distance of 125.4' to a point; thence, bearing N17°E, a distance of 46.02' to a point; thence, bearing N82°14' distance of 124.92' to a point; thence, bearing N86°50'45"E, a distance of 61.82' to a point; bearing S3°8'57"E, a distance of 124.93' to a point; thence, bearing N86°51'3"E, a distance of 124.93' to a point; thence, bearing S3°8'57"E, a distance of 465.68' to a point; thence, bearing N82°14' distance of 136.04' to a point; thence, bearing N69°53'6"E, a distance of 123.79' to a point; bearing N83°31'58"E, a distance of 163.94' to a point; thence, bearing N59°1'34"E, a distance of 124.93' to a point; thence, bearing N87°1'58"E, a distance of 221.83' to a point on the east line of Tract "A" also lying on the west right-of-way line of N.E. 15th Avenue; thence, bearing S2°4' along the east line of Tract "A" and the west right-of-way line of N.E. 15th Avenue, a distance of 223.47' to a point; said point being the beginning of a curve concave NW/ly, having a radius of 89°35'2", a chord length of 35.23' bearing S42°3'44"W; thence, continuing along the east line of Tract "A" and the west right-of-way line of N.E. 15th Avenue, SW/ly along the arc of a curve, a distance of 39.09' to a point on the south line of Tract "A", said point also lying on the right-of-way line of N.E. 163rd Street (State Road 826); thence, bearing S86°51'15"W, along the line of Tract "A" and the north right-of-way line of N.E. 163rd Street (State Road 826), a distance of 600.82' to a point of intersection with the west line of the NE 1/4 of said Section 17; thence, bearing S86°51'40"W, along the south line of Tract "A" and the north right-of-way line of N.E. 163rd Street (State Road 826), a distance of 1,261.09' to a point; said point being the beginning of a curve or Northeast, having a radius of 25', a central angle of 90°20'43", a chord length of 35.46' bearing N47°57'58"W; thence, NW/ly along the arc of said curve, a distance of 39.42' to a point on the line of Tract "A", and the east right-of-way line of N.E. 12th Avenue; thence, bearing N2°47' along the west line of Tract "A" and the east right-of-way line of N.E. 12th Avenue, a distance of 595.98' to a point; thence, leaving the east right-of-way line of N.E. 12th Avenue and continuing the perimeter of Tract "A", bearing N86°53'16"E, a distance of 650.89' to a point; thence, continuing along the perimeter of Tract "A", bearing N2°46'48"W, a distance of 610.88' to a point; said point being the beginning of a curve concave SE/ly, having a radius of 25', a central angle of 89°44'10", a length of 35.27' bearing N42°5'17"E; thence NE/ly along the arc of said curve, a distance of 39.1' point on the north line of Tract "A", said point also lying on the south right-of-way line of N.E. 167th Street; thence, bearing N86°57'21"E, along the north line of Tract "A" and the south right-of-way line of N.E. 167th Street, a distance of 230.04' to the Point of beginning.

LOCATION: 1421 N.E. 163 Street, Miami-Dade County, Florida.

In accordance with Sections 33-313, 314, and 316 of the Code of Miami-Dade County, Community Zoning Appeals Board decisions are appealable to the Board of County Commissioners or to the Court of Appeals. Appeals to the Board of County Commissioners must be made within 14 days of posting of the results of the hearing on a form prescribed by the Department of Planning and Zoning. Appeals that are subject to the Circuit Court of Appeals must be filed with the Clerk of Court at Miami-Dade County Court House, Appellate Division, 73 West Flagler, Room Balcony, Miami, FL 33130, within 30 days from the date of transmittal of the resolution to the Board.

A person who decides to appeal any decision made by the Community Zoning Appeals Board with respect to any matter considered at its hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

8/17

04-3-20/480

MIAMI-DADE COUNTY, FLORIDA

LEGAL NOTICE

ZONING HEARING

THE MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD FOR AREA 12 will hold a Public Hearing on the following items on Wednesday, the 8th day of September, 2004 at 6:30 p.m. in the GLADES MIDDLE SCHOOL - Auditorium, 9451 SW 64 Street, Miami, Florida. Said hearing is being held to consider the applications hereinafter listed for District Boundary Changes, Non-Use Variances, Special Exceptions, Unusual Uses, Modifications of previous resolutions, and Variances, Appeals of Administrative Decisions and Reformations of Resolutions for this area within Unincorporated Miami-Dade County, Florida. The Community Zoning Appeals Board RESERVES THE RIGHT to modify the applications, to impose desirable, reasonable conditions, and to change minimum cubic content requirements, all for the best interest of the overall comprehensive zoning plan and regulations.

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